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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/039,932	11/01/2001	Mark S. Buehler	021556.0125	9943

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EXAMINER

ART UNIT PAPER NUMBER

DATE MAILED: 03/22/2007

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action
After the Filing of an Appeal Brief

Application No.

10/039,932

Examiner

Rueben M. Brown

Applicant(s)

BUEHLER ET AL.

Art Unit

2623

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The reply filed 31 October 2006 is acknowledged.

1. ☒ The reply filed on or after the date of filing of an appeal brief, but prior to a final decision by the Board of Patent Appeals and Interferences, will not be entered because:

a. ☒ The amendment is not limited to canceling claims (where the cancellation does not affect the scope of any other pending claims) or rewriting dependent claims into independent form (no limitation of a dependent claim can be excluded in rewriting that claim). See 37 CFR 41.33(b) and (c).


b. ☐ The affidavit or other evidence is not timely filed before the filing of an appeal brief.
See 37 CFR 41.33(d)(2).

2. ☐ The reply is not entered because it was not filed within the two month time period set forth in 37 CFR 41.39(b), 41.50(a)(2), or 41.50(b) (whichever is appropriate). Extensions of time under 37 CFR 1.136(a) are not available.

Note: This paragraph is for a reply filed in response to one of the following: (a) an examiner's answer that includes a new ground of rejection (37 CFR 41.39(a)(2)); (b) a supplemental examiner's answer written in response to a remand by the Board of Patent Appeals and Interferences for further consideration of rejection (37 CFR 41.50(a)(2)); or (c) a Board of Patent Appeals and Interferences decision that includes a new ground of rejection (37 CFR 41.50(b)).

3. ☐ The reply is entered. An explanation of the status of the claims after entry is below or attached.

4. ☒ Other: The amendment to claim 1 changes the scope of claims 2-4. The amendment to claim 15 changes the scope of claims 16-17. Amended claim 27 includes features not previously found in any of its dependent claims. Thus the amendment to claim 27 represents a combination of features not already considered by the Office.


SCOTT E. BELIVEAU
PRIMARY PATENT EXAMINER